

The trial of Everett J. Waring, colored, of Baltimore, charged with embezzling \$700 belonging to the Lexington Savings Bank, of that city, began on Saturday. The offense was alleged to have been committed in Baltimore on March 6, 1897, and the indictment was made there in May following. The record was sent here. The better part of the day was consumed in selecting a jury, of which Benjamin M. Hill was made foreman. Twelve talesman were summoned. Waring was president of the bank.

Joseph D. McGuire, State's attorney of Howard county, and Henry Duffy, State's attorney of Baltimore city, conducted the prosecution. Richard B. Tippet and Robert H. Carr, Jr., of Baltimore, appeared for the defense. A demurrer on the part of the defense to one of the counts in the indictment was overruled by the court.

When the case came up on Monday not much progress was made in taking the testimony because of the frequent contentions as to its admissibility.

Mr. Charles A. Stanley, assistant cashier of the Drovers and Mechanics' National Bank, the depository of the Lexington Bank, was the first witness called. He testified that on the day a \$700 check was paid to George L. Stanley, bookkeeper in Waring's bank, there was only a small balance of \$15.85 to the credit of the Lexington Bank, and that Stanley deposited the three checks, amounting to \$684.15, of this deposit only one of the checks, that for \$25, proved to be good, the others being protested. There were objections to the testimony of Stanley when he was placed on the stand to prove the transactions of Waring in executing a note for \$7,000, it being intended to prove by Stanley systematic false accounts of Waring in connection with the bank's business.

The state concluded its testimony Tuesday afternoon. Mr. James McColgan, a director of the Drovers and Mechanics' Bank, and one of the receivers of the Lexington Savings Bank, testified on the part of the state, his evidence being substantially to show the condition of the institution when its affairs were placed in the receivers' hands. He stated that in a conversation with Waring some time after the closing of the bank, the latter said the bank had failed because of the heavy expense of conducting it and falling off of deposits. He stated also that Waring said to him that he (Waring) had used all efforts in his power to keep up the standing of the bank.

George L. Stanley, the bank's bookkeeper, whose evidence was not concluded Monday, was recalled. In addition to his statement as to the condition of the books, etc., he said that he made the deposits and withdrew the moneys from the Drovers and Mechanics' Bank on account of the Lexington Savings Bank.

Julius C. Johnson, George B. Mills, Geo. W. Carroll and Geo. W. Plitt, directors of the late bank, testified as to transactions in their official capacity. They stated that the bank's affairs were left almost exclusively in the control of Waring. They did not, they said, inquire into the bank's conduct, but signed the monthly reports when handed to them to do so. One of the witnesses—George W. Carroll—who on several occasions acted as secretary, said his indifference as to the performance of the duties of secretary was because there was no pay in it.

The evidence of the state's witnesses seemed rather to strengthen the fact that the management of the bank's business was altogether in Waring's hands, a point not at variance with the wishes of the defense. Counsel for the defense claimed that there is still due Waring by the late bank, on account of salary, an amount greatly in excess of that alleged to have been embezzled.